



Department of Defense DIRECTIVE

USD(P)
614-5249

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AD-A270 586

August 15, 1985

NUMBER 2002.3



USD(P)

SUBJECT: Clearance of Research and Studies With Foreign Affairs Implications

- References: (a) DoD Directive 5100.62, "Clearance of Research and Studies with Foreign Affairs Implications," August 19, 1969 (hereby canceled)
(b) DoD Directive 5010.22, "DoD Contract Studies Management," March 25, 1982

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A. REISSUANCE AND PURPOSE

This Directive reissues reference (a), updates policy and procedures, and assigns responsibilities and authorities for clearance of foreign area research study grants and contracts that may have potentially adverse implications for U.S. foreign relations.

B. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Organization of the Joint Chiefs of Staff (OJCS), the Unified and Specified Commands, and the Defense Agencies (hereinafter referred to collectively as "DoD Components").

C. DEFINITIONS

1. DoD-Sponsored Foreign Affairs Research. Research programs and studies in the social and behavioral sciences dealing with international relations, or with foreign areas and people, whether conducted in the United States or abroad, that are supported by contracts or grants. In-house research is not included under this Directive.

2. Potentially Adverse Foreign Affairs Implications. Applies to foreign affairs research, the effect of which may create or exacerbate sensitive situations for the U.S. Government in its relations with other governments. These possibilities are likely to occur particularly in projects that include conduct of overseas field research by U.S. contractors or grantees; foreign travel performed under terms of a grant or contract for any other purpose related to foreign affairs research; conduct of foreign affairs research by foreign contractors in foreign areas; contact with foreign nationals; substance relating to international relations; and research or any study focusing on contemporary characteristics of the culture, politics, or institutions of foreign countries.

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D. POLICY

1. It is DoD policy that foreign affairs research that may have potentially adverse foreign affairs implications be reviewed expeditiously by the Under Secretary of Defense for Policy (USDP) before initiation or award of a contract or grant, and that the conduct of such research or studies be monitored and administered in such a way as to avoid adverse effects on U.S. foreign relations.

2. The policy originates with a mandate from the President to the Secretary of State to establish procedures to ensure that foreign affairs research is conducted in such a way so as not to impact adversely U.S. foreign relations. Department of State (DoS) guidance for the implementation of that policy is contained in enclosure 1.

3. DoD Directive 5010.22 (reference (b)) contains overall policy guidance for the management of DoD contract studies, and specifically reserves the coordination of foreign affairs research to the provisions of this Directive.

E. RESPONSIBILITIES

1. The Under Secretary of Defense for Policy, or designee, shall be responsible for sensitivity review and approval of all foreign affairs research with potentially adverse foreign affairs implications sponsored by contract or grant. In carrying out these responsibilities, the USDP shall serve as the clearance point in the Department of Defense and the originator of DoD requests for coordination with the DoS, in accordance with enclosure 1. The review and approval of foreign affairs research shall be limited exclusively to the determination of the potential adverse consequences such research may have for U.S. foreign relations. Clearance of such projects may not be construed as an endorsement of the need, method, or value of the project.

2. Heads of DoD Components, or designees, shall establish procedures to ensure compliance with this Directive.

F. PROCEDURES

1. DoD Components undertaking foreign affairs research with potentially adverse foreign affairs implications shall request approval to do so from the USDP. Such requests shall include the following information:

- a. Title and brief description of project.
- b. Project scope/purpose.
- c. Names of contractor/grantee and principal researchers.
- d. Estimated project cost.

e. Description of proposed field work, to include countries to be visited, approximate dates, and extent and type of contact with foreign nationals here or abroad.

Aug 15, 85
2002.3

f. Any record of previous discussion of the project with U.S. diplomatic mission personnel.

g. Project classification, if any.

h. Proposed disposition of reports.

2. The USDP, or designee, promptly shall review the request and initiate clearance action, if required, with the DoS. The clearance process normally takes about 30 days. DoD Components shall be notified promptly of the decision, and adverse decisions may be appealed to the DoS through the USDP, in accordance with enclosure 1.

G. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective immediately. All DoD Components supporting research and studies with foreign affairs implications shall provide the Under Secretary of Defense for Policy implementing instructions within 120 days.

William H. Taft, IV

William H. Taft, IV
Deputy Secretary of Defense

Enclosure - 1

Policies and Procedures for Department of State Review and
Coordination of Government-Sponsored Research on Foreign Affairs

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IC/FAR (Revision 3)
January, 1985

POLICIES AND PROCEDURES
FOR
DEPARTMENT OF STATE REVIEW AND COORDINATION
OF
GOVERNMENT-SPONSORED RESEARCH ON FOREIGN AFFAIRS^{1/}

Purpose: To state the source and nature of the Secretary of State's responsibilities for the review and coordination of Government-sponsored research on foreign affairs; to specify the concomitant responsibilities and procedures agreed to by sponsoring agencies.

I. DEFINITION OF GOVERNMENT-SPONSORED FOREIGN AFFAIRS RESEARCH

Research programs and studies in the social and behavioral sciences dealing with international relations, or with foreign areas and peoples, whether conducted in the United States or abroad, which are supported by contracts or grants awarded by agencies of the United States. In-house research is not included.

II. AUTHORIZATION AND ORGANIZATION

A. Mandate

A letter from the President to the Secretary of State, dated August 2, 1965, established the responsibility for the review for sensitivity reasons of Government-sponsored research on foreign affairs. It said:

I am determined that no Government sponsorship of foreign area research should be undertaken which in the judgment of the Secretary of State would adversely affect United States foreign relations. Therefore I am asking you to establish effective procedures which will enable you to assure the propriety of Government-sponsored social science research in the area of foreign policy.

In addition, an April 27, 1977, memorandum to all Department and Agency heads from the Special Assistant to the President for National Security Affairs assigns to the Secretary of State "responsibility for

^{1/} This document, first issued on January 16, 1978, replaces the "Procedures for Department of State Review of Government-Sponsored Foreign Affairs Research" adopted on November 18, 1965, and published in the Federal Register (Vol. 31, No. 7, January 12, 1966, pp. 358-60).

the coordination of foreign affairs external research...including information exchange, documentation, publication and other activities required to minimize duplication of effort; joint funding; measures to assure quality, utility and availability; and other matters requiring interagency consultation."

This document is designed to assist in the discharge of both the Secretary's coordination responsibilities and his responsibility to avoid adverse effects on U.S. foreign relations. As his representative in the discharge of these responsibilities, the Secretary has designated the Director of the Bureau of Intelligence and Research (INR).

B. Department of State Research Council

To implement the President's 1965 directive, the Secretary of State created the Department of State Research Council (DSRC) and designated the Director of INR as Chairman to assist him in formulating policies for State Department review and clearance of project proposals submitted by other Government agencies. In addition to its Chairman, the DSRC is composed of the Director of the Policy Planning Staff, the Legal Adviser, and, as appropriate, representatives of the regional and functional bureaus. The DSRC and its Chairman are assisted by the Office of Long-Range Assessments and Research (INR/LAR).

C. DSRC Chairman

The Chairman of the DSRC is responsible for final clearance of proposed projects submitted by sponsoring agencies. The Chairman keeps the Secretary of State informed of the DSRC's major deliberations and actions. The Chairman may issue guidelines to aid agencies in fulfilling the requirements of these procedures.

III. PURPOSE AND LIMITS OF REVIEW

The DSRC will review research projects only for the purpose of avoiding adverse effects on U.S. foreign relations. The risks of possible adverse effects on foreign relations will be weighed against the value of the research project to the U.S. Government. Because the sponsoring agency is the best judge of the value of a proposal to its own mission, its views will be carefully considered. If the DSRC questions the propriety of any research project, it will consult with the sponsoring agency before making a final determination. Clearance of projects by the DSRC is not necessarily an endorsement of the need, method, or value of the project.

IV. CRITERIA FOR REVIEW AND CLEARANCE

A. Military and Foreign Affairs Agency ^{2/} Projects

All foreign affairs research projects that at any stage involve foreign travel or contact with foreign nationals in the United States or abroad, must be submitted for review. Such other projects as the sponsoring agency determines may have potential adverse effects on U.S. foreign relations (see IV.D.1., below) should be submitted for review.

B. Domestic Agency ^{3/} Projects

Domestic agencies must determine, on the basis of potential sensitivity as described in section IV.D., below, which of their foreign affairs research projects should be submitted for review.

C. All Agencies--Continuing Programs and General Purpose Grants

1. Agency representatives will keep the DSRC informed about continuing foreign affairs research programs carried out by research organizations receiving principal support from their agencies. After consultation with an agency, the DSRC may ask to review specific projects. In cases where such research organizations are not required to clear their research plans or projects with sponsoring agencies, the DSRC shall not require review of specific projects. However, the DSRC should be kept informed of all foreign affairs research projects undertaken as part of these programs.

2. Grants to academic institutions for general purposes (such as expansion of facilities, faculty, or curriculum) need not be submitted to the DSRC for review. However, the DSRC should be informed about such grants if any funds are to be used to support foreign affairs research by the recipient institution.

D. Project Sensitivity

1. Projects which involve neither foreign travel nor contact with foreign nationals may also be sensitive if they deal with subjects under active negotiation or currently in dispute.

^{2/} Agency for International Development, Arms Control and Disarmament Agency, Department of Defense, Central Intelligence Agency, Department of State, U.S. Information Agency.

^{3/} Grants of the National Science Foundation, the National Endowment for the Humanities, the National Institutes of Health, and the Alcohol, Drug Abuse, and Mental Health Administration, as well as grants awarded under the Fulbright-Hays program or the National Defense Education Act, have been exempted from provisions of this section.

2. Projects which involve foreign travel or contact with foreign nationals are especially likely to be sensitive if they:

a. Deal with the authority, effectiveness, or policies of a foreign government, with the nature and relationships of politically significant internal institutions, or with the attitude of the people toward the government (especially if the government is characterized by instability);

b. Involve large-scale or formalized surveys or interviews; or

c. Are conducted by large teams or which cover extensive or remote areas of a foreign country.

3. Projects which involve foreign travel or contact with foreign nationals are less likely to be sensitive if they:

a. Deal with historical rather than contemporary subjects unless there are contemporary implications;

b. Gather information in the host country through documentary investigation rather than interviews or questionnaires;

c. Have the approval of interested agencies of the host country government;

d. Involve professional participation by host country nationals as researchers; or

e. Are not designed to contribute specifically to the operating mission of an agency of the U.S. Government.

V. REVIEW AND CLEARANCE PROCEDURES

A. Time Required

Fifteen working days are normally allotted for DSRC review of agency projects. Projects will be considered cleared unless other DSRC action is communicated to the agency within 15 working days after the required information is received for review.

B. Information Required

1. Title and brief description of project.

2. Name of sponsoring agency or agencies (including information on any funding by other agencies).

3. Contractor, estimated cost, and principal researchers.

4. Detailed information on project; hypotheses to be investigated, methods, schedules, types of findings anticipated, countries or regions covered.

5. If project involves field work abroad, names of researchers, indication of time of proposed field work, and extent and types of contact with foreign nationals.

6. Extent to which discussion with U.S. diplomatic mission has already been held in the formulation of project proposal.

7. Classification of projects and proposed disposition of reports.

C. Types of Clearance Actions

1. Cleared

2. Cleared with conditions

3. Not cleared (with statement of reasons)

(Once a project is cleared, normally there will be no further State Department action, although other agencies remain under obligation to inform the DSRC of changes in the character of the research, and, in the event of substantial changes or significant developments in the research, the DSRC retains the option to review the project.)

D. Appeals

An agency may request reconsideration of a decision, in which case the DSRC will accept the agency's appeal and act promptly on it. Should the decision still be unsatisfactory to an agency, the agency head may consult with the Secretary of State.

VI. AGENCY RESPONSIBILITIES^{4/}

A. Submission of Projects for Review

Agency representatives will be responsible for collecting information on projects their agencies propose to support, making determinations as

^{4/} To avoid duplicate reporting, or failure to report, in cases of collaborative programs and projects involving two or more agencies, that agency which actually signs contract or grant agreements should assume these responsibilities.

to which projects require DSRC clearance, and submitting appropriate project information to the DSRC for review before a contract is signed or grant awarded.^{5/}

B. Research Coordination

Agency representatives should consult one another and colleagues in appropriate specialties when new projects or programs are thought to run a substantial risk of duplication or to be good candidates for other agency participation in design, funding, and utilization. Because the Department of State's own mission and research program embraces all foreign areas and functional aspects of international affairs, agency representatives should call upon the staff of INR/LAR when assistance is needed in exploring either State participation or coordination with third agencies.

C. Submission of Completed Studies

Agency representatives should ensure that two (2) copies of all studies and reports (classified and unclassified) delivered to the agency as products of its external research projects (whether reviewed by the DSRC or not) are sent to the Defense Technical Information Center, DTIC/DDR, Cameron Station, Alexandria, Virginia 22314. Each paper sent to DTIC should be sent under cover of a transmittal indicating what distribution is authorized by the agency. Unclassified papers not restricted in their distribution will automatically be deposited as well (by DTIC) with the National Technical Information Service, Department of Commerce, where they will be accessible to the general public.

D. Other

Agency representatives should serve as facilitators of cooperative projects, and otherwise be available for consultation on matters of interagency coordination.

^{5/} This is not required in those cases where agencies use other established procedures to clear their research projects with a policy bureau in the Department of State (e.g., PL-480 programs) or with a U.S. Embassy (e.g., A.I.D. projects initiated and funded by field missions). However, the coordination representatives should inform the Chairman of the DSRC by memoranda of the clearance arrangements being used by their agencies in such cases.

VII. STAFF ASSISTANCE

The staff of INR/LAR is available for advance consultation on the possible sensitivity of projects and associated foreign travel. Since topics of no apparent sensitivity on general principle may prove to be quite sensitive in a particular time or place, advance consultation often serves to expedite projects and assure that a proposed study can in fact be carried out. Agency representatives having doubts about the potential sensitivity of projects or associated foreign travel are encouraged to seek consultation.

All submissions of information and documents and requests for assistance should be directed to:

Office of Long-Range Assessments and Research, INR/LAR
Attn: Coordinator for Research Review
Room 6842, NS
Department of State
Washington, DC 20520
Tel: (202) 632-2759